



Response Under 37 CFR §1.116
Expedited Procedure
Examining Group 1614

CASE LA0046a C

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

John M. Kilcoyne
Type or print name

John M. Kilcoyne
Signature

February 28, 2002
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1614

BETH ANNE PIPER

Examiner: R. Cook

APPLICATION NO: 09/460,920

FILED: DECEMBER 14, 1999

FOR: METHOD FOR TREATING DIABETES

Box AF
Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED
MAR 14 2002
TC 1700

AMENDMENT AFTER FINAL REJECTION

Sir:

In response to the Official Action mailed August 29, 2001, applicant requests that the above-identified application be amended as follows.

IN THE CLAIMS:

Please cancel claims 38-44, 55-57 and 61-70 without prejudice.

Please amend claims 37, 54, 71 and 72 as follows:

37. A method for first line treatment of type 2 diabetes, in a drug naive human patient, which comprises administering to a drug naive human patient in need of treatment, as first line therapy, a low dose of a combination of metformin and glyburide, wherein the metformin in said low dose combination is administered in a daily dosage in an amount within the range from about 160

dh to enter
re 7/9/02

B' 500

b

RECEIVED

MAR 15 2002

#15/B
JRP
3/19/02